

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 14-00117-01-CR-W-DW
)	
JAMES T. SMITH,)	
)	
Defendant.)	

ORDER

Before the Court is the Report and Recommendation (Doc. 52) submitted by Magistrate Judge Sarah W. Hays regarding Defendant's "Motion to Suppress any Items Taken during Defacto Arrest May 19, 2013 as No Arrest Warrant Produced or Given to Proper Party; and Motion to Suppress any Alleged Statements Made . . Made to or by any Alleged Isle of Capri Security Personnel prior to Any Presumed Miranda Warning to Alleged Defendant" (Doc. 24). Pursuant to Rule 59(b)(2), objections to the proposed findings and recommendation, if any, were due in writing on or before September 19, 2014. To date, no objections have been filed. After an independent review of the record and the applicable law, the Court accepts the recommendation and adopts the Magistrate Judge's findings of fact and conclusions of law. Accordingly, IT IS ORDERED that:

1. The Report and Recommendation (Doc. 52) shall be attached to and made a part of this Order;

2. All of the relief requested in the Motion to Suppress any Items Taken during Defacto Arrest May 19, 2013 as No Arrest Warrant Produced or Given to Proper Party; and Motion to Suppress any Alleged Statements Made . . Made to or by any Alleged Isle of Capri Security Personnel prior to Any Presumed Miranda Warning to Alleged Defendant (Doc. 24) is DENIED.

SO ORDERED.

Date: September 26, 2014

/s/ Dean Whipple
Dean Whipple
United States District Judge